

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Logistics International, LLC,

Plaintiff,

Civ. No. 10-4420 (RHK/SRN)

v.

ORDER

TransGroup Express, Inc., and Ron Lee,

Defendants.

This matter is before the Court *sua sponte*.

Invoking diversity jurisdiction under 28 U.S.C. § 1332, Plaintiff Logistics International, LLC (“Logistics”) commenced this contract action against TransGroup Express, Inc. (“TransGroup”) and Ron Lee. Logistics alleges in the Complaint that it is “a Minnesota limited liability company organized under the laws of the state of Minnesota, with its principal place of business located in Minnesota.” (Compl. ¶ 1.) It further alleges that TransGroup is a Washington corporation with its principal place of business in Washington, and that Lee is a Washington citizen.

As the party invoking the Court’s jurisdiction, Logistics bears the burden of pleading facts establishing the existence of diversity jurisdiction. E.g., Walker v. Norwest Corp., 108 F.3d 158, 161 (8th Cir. 1997). Doing so required it to plead “with specificity the citizenship of the parties.” Barclay Square Props. v. Midwest Fed. Sav. & Loan Ass’n of Minneapolis, 893 F.2d 968, 969 (8th Cir. 1990). It has failed to do so.

As noted above, Logistics is a limited liability company. A limited liability company's citizenship is determined by that of its members. E.g., OnePoint Solutions, LLC v. Borchert, 486 F.3d 342, 346 (8th Cir. 2007); GMAC Commercial Credit LLC v. Dillard Dep't Stores, Inc., 357 F.3d 827, 829 (8th Cir. 2004). Here, the Complaint contains no information about the citizenship of Logistics' members – indeed, no members are identified in the Complaint at all. Accordingly, the Court cannot determine from the face of the Complaint whether diversity jurisdiction exists in this case.

Based on the foregoing, **IT IS ORDERED** that Logistics shall redress the deficiencies set forth above on or before November 15, 2010, or the Court will dismiss this action for lack of subject-matter jurisdiction.

Date: November 1, 2010

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge